

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 7080

BILL NUMBER: SB 372

DATE PREPARED: Jan 3, 2002

BILL AMENDED:

SUBJECT: Destructive Research.

FISCAL ANALYST: Kathy Norris

PHONE NUMBER: 234-1360

FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill defines "destructive research" as research that kills or injures the subject of the research and involves the use of human embryos. The bill prohibits a public employee or person employed at a public facility (including a state educational institution) from conducting destructive research. It also prohibits the state or a political subdivision of the state from funding destructive research. The bill provides that a person who conducts destructive research commits a Class A misdemeanor.

Effective Date: July 1, 2002.

Explanation of State Expenditures: This bill would prohibit human embryonic stem cell research at publicly owned facilities, including state universities, hospitals, and laboratories. The bill also prohibits public employees from participating in this activity within the scope of their employment. The bill creates a new Class A misdemeanor.

Explanation of State Revenues: If additional court cases occur and fines are collected, revenue to both the Common School Fund and the state General Fund would increase. The maximum fine for a Class A misdemeanor is \$5,000. Criminal fines are deposited in the Common School Fund. If the case is filed in a circuit, superior, or county court, 70% of the \$120 court fee that is assessed and collected when a guilty verdict is entered would be deposited in the state General Fund. If the case is filed in a city or town court, 55% of the fee would be deposited in the state General Fund.

Explanation of Local Expenditures: A Class A misdemeanor is punishable by up to one year in jail. The average daily cost to incarcerate a prisoner in a county jail is approximately \$44.

Explanation of Local Revenues: If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from the following sources: (1) The county general fund would receive 27% of the \$120 court fee that is assessed in a court of record. Cities and towns maintaining a law

enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. (2) A \$3 fee would be assessed and, if collected, would be deposited into the county law enforcement continuing education fund. (3) A \$2 jury fee is assessed and, if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

State Agencies Affected: State universities, hospitals, and laboratories.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: